

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DONALD GUARRIELLO, et al.,

Plaintiffs,

v.

CV No. 19-1184 WJ/CG

YASHNA ASNANI, et al.,

Defendants.

SCHEDULING ORDER

In accordance with the Civil Justice Expense and Delay Reduction Plan adopted in compliance with the Civil Justice Reform Act, and pursuant to Title 28 U.S.C. § 473(a)(1), this case is assigned to a “**150-day**” bifurcated discovery track. Accordingly, the termination date for discovery related to conditional and class certification is **August 14, 2020**, and discovery shall not be reopened, nor shall case management deadlines be modified, except by an order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date.

Before moving for an order relating to discovery, the parties may request a conference with the Court in an attempt to resolve the dispute. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing

parties by **September 3, 2020**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. This deadline shall not be construed to extend the twenty-day time limit in D.N.M.LR-Civ. 26.6.

Plaintiffs shall identify to all parties in writing any expert witness to be used by Plaintiffs at trial and to provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than **July 15, 2020**. All other parties shall identify in writing any expert witness to be used by such parties at trial and to provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than **August 16, 2020**.

Pretrial motions, other than discovery motions, shall be filed with the Court and served on the opposing party by **September 14, 2020**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. Any pretrial motions, other than discovery motions, filed after the above dates shall, in the discretion of the Court, be considered untimely.

Plaintiffs shall have until **April 13, 2020**, to join additional parties and to amend the pleadings. Defendants shall have until **May 11, 2020**, to join additional parties and to amend the pleadings.

Plaintiffs shall have until **July 16, 2020**, to file a Motion for Conditional Certification. Defendants may respond by **August 10, 2020**, and Plaintiffs may reply by **August 24, 2020**.

Plaintiffs shall have until **October 5, 2020**, to file their Motion for Class Certification. Defendants shall have until **November 2, 2020**, to respond to Plaintiffs' Motion, and Plaintiffs may file a reply by **November 16, 2020**.

If documents are attached as exhibits to motions, affidavits or briefs, those parts of the exhibits that counsel want to bring to the attention of the Court must be highlighted in accordance with D.N.M.LR-Civ. 10.6.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE